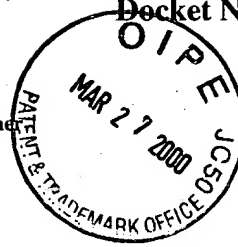


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on March 23, 2000

By: Kathleen K. Muto  
Printed: Kathleen K. Muto



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hawkins et al.

Title: HUMAN PYROPHOSPHATASE

Serial No.: 09/415,540

Filing Date: October 8, 1999

Examiner: Slobodyansky, E.

Group Art Unit: 1652

Assistant Commissioner for Patents  
Washington, D.C. 20231

### TERMINAL DISCLAIMER

Sir:

Petitioner, Incyte Pharmaceuticals, Inc., a Delaware corporation, having a place of business at 3160 Porter Drive, Palo Alto, California 94304, is the owner of the entire interest in the instant application as indicated in the assignment recorded in the United States Patent and Trademark Office on January 16, 1997 at Reel No. 8437, Frame No. 0115, and in prior application U.S. Serial No. 08/741,437, filed October 31, 1996, now U.S. Pat. 5,843,665, issued date December 1, 1998.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of U.S. Pat. 5,843,665. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Pat. 5,843,665 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any

patent granted on the instant application that would extend the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of commonly-owned U.S. Pat. 5,843,665, in the event that U.S. Pat. 5,843,665 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned (whose title is supplied below) represents that he/she is a representative authorized to sign on behalf of Petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

INCYTE PHARMACEUTICALS, INC.

Date

3/23/00



Peng Ben Wang

Reg. No. 41,420

Direct Telephone: (650) 621-7574

3160 Porter Drive  
Palo Alto, California 94304  
Phone: (650) 855-0555  
Fax: (650) 845-4166